

REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application. For convenience, this amendment incorporates the amendment to claim 17 from the previous amendment filed January 29, 2009.

Claims 1-19, 22, and 24-33 are now present in this application. Claims 1 and 7 are independent. By this amendment, claims 21 and 23 have been canceled, without prejudice or disclaimer, claims 1, 9, and 17 have been amended, and claims 24-33 have been added.

Reconsideration of this application, as amended, is respectfully requested.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File because the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by placing the claims in compliance with 35 U.S.C. § 112, 2nd Paragraph. This Amendment was not presented at an earlier date because Applicant did not fully appreciate the Examiner's position until the Final Office Action was reviewed.

Drawings

Applicant thanks the Examiner for indicating that the drawings are accepted.

Examiner Interview

Applicant thanks the Examiner for the courtesies extended to Applicant's representative during the personal interview that was conducted on February 24, 2009. An Examiner Interview Summary was made of record as Paper No. 20090224. During the interview, Applicant's representative discussed the rejections of independent claim 1 over the prior art. In addition, Applicant's representative discussed amending independent claim 1 to include the allowable subject

matter of dependent claim 13 and adding new dependent claims to depend from claim 7 based on the currently pending dependent claims. The Examiner indicated that he would consider and enter such an amendment. The claims have been amended in the manner discussed during the interview, and are believed to place the application into condition for allowance. Accordingly, reconsideration and allowance of the present application are respectfully requested.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claim 17 stands rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language lacks antecedent basis. In order to overcome this rejection, Applicant has amended claim 17 to correct the deficiency specifically pointed out by the Examiner. Applicant respectfully submits that the claim, as amended, particularly points out and distinctly claims the subject matter which Applicant regards as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1-6, 9-12, 14-17, and 21-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Love in view of Rouse. Further, claims 18 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Love in view of Rouse, and in further view of Schwein. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant respectfully submits that claims 20 and 23 have been canceled, thus rendering a portion of this rejection under 35 U.S.C. § 102(b) moot. Accordingly, reconsideration and withdrawal of this portion of the rejection are respectfully requested.

With regard to the rejections of claims 1-6, 9-12, and 14-19, while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant respectfully submits that independent claim 1 has been amended to include the limitations of objected-to allowable claim 13, along with intervening claims 9 and 12, thereby automatically placing independent claim 1 into condition for allowance, along with dependent claims 2-6, 11, 14-19, and 22.

With regard to dependent claims 9, 10, and 12, these claims have been amended to depend from allowed claim 7, and therefore should be in condition for allowance.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Allowable Subject Matter

The Examiner states that claims 7 and 8 are allowed and that claim 13 would be allowable if rewritten in independent form.

Applicant thanks the Examiner for the indication of allowable subject matter in this application. Applicant thanks the Examiner for the early indication of allowable subject matter in this application. As set forth above, the limitations of objected-to claim 13 have been added into independent claim 1, along with intervening claims 9 and 12, and therefore independent claim 1 should be in condition for allowance. Also, claims 2-6 and 14-19 depend, either directly or indirectly, from independent claim 2-6, 11, 14-19, and 22, and are therefore allowable based on their dependence from claim 1, which is believed to be allowable.

Claims 24-33

Claims 24-33 have been added for the Examiner's consideration. Applicant submits that claims 24-33 depend, either directly or indirectly, from one of independent claims 1 and 7, and are therefore allowable based on their dependence from claim 1 or 7, which are believed to be allowable.

In addition, claims 24-33 recite further limitations which are not disclosed or made obvious by the applied prior art references.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: February 27, 2009

Respectfully submitted,

By 

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